



UNITED STATES PATENT AND TRADEMARK OFFICE

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OFFICE OF PETITIONS

In re Application of :
Kari RAISANEN et al. : DECISION GRANTING PETITION
Application No. 10/597,915 : UNDER 37 CFR 1.181
Filed: 28 August 2006 :
Atty Docket No. Metso-64

This is a decision on the petition under 37 CFR 1.181, filed 11 June 2010, to revive the above-identified application.

The petition is **GRANTED**.

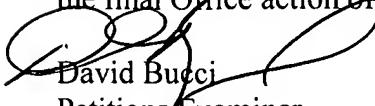
The application became abandoned for failure to reply in a timely manner, within the meaning of 37 CFR 1.113, to the final Office action mailed 25 November 2009 (“outstanding Office action”), which set a shortened statutory period of reply of three (3) months. No reply was received, and no extension of time under the provisions of 37 CFR 1.136(a) was obtained. The application thus became abandoned on 25 February 2010.

A grantable petition to withdraw holding of abandonment under 37 CFR 1.181 based on failure to receive an Office action requires: (1) a Statement from the Practitioner stating that the Office communication was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received; and (2) a copy of the docket record where the non-received Office communication would have been entered had it been received and docketed.

Petitioner asserts the Abandonment effective 25 February 2010 be withdrawn as Petitioner never received the final Office action mailed 25 November 2009. The present Petition includes Statements that the Office action was not received, further supported by a statement of physical examination of the file folder. Applicant has also provided a copy of the docket record at three months’ past the mailing date of the Office action. It is concluded that Petitioner never received the non-final Office action mailed 25 November 2009.

General inquiries relating to this decision should be directed to Robert DeWitty, Petitions Examiner, Office of Petitions (571-272-6051), or, if unavailable, the undersigned at 571-272-7099.

The application file will be referred to Technology Center Art Unit 1791 for re-mailing of the final Office action of 25 November 2009.



David Bucci
Petitions Examiner
Office of Petitions